

Michelle MacDonald Shimota

10/20/2016

Page 251

1 contempt charge?

2 A. Yeah.

3 Q. Okay.

4 A. I don't understand your question all that
5 well, but that makes sense.

6 Q. Okay. I'm just trying to delineate between
7 you're not claiming --

8 A. Oh.

9 Q. I guess my broader question is you're not
10 claiming any attorneys fees and costs in other
11 matters relative to your confinement in the
12 courthouse area or the jail, correct? Those acts of
13 confining you did not cause you to personally incur
14 any attorneys fees and costs, correct?

15 A. Oh, in this lawsuit, yes.

16 Q. Okay.

17 A. So, yes. Were you trying to have me say
18 that I didn't incur any attorneys fees?

19 MR. PADDEN: No, no, he's --

20 A. I'm misunderstanding. But in this lawsuit,
21 yes.

22 Q. In this lawsuit you're claiming that, I
23 understand.

24 A. Okay.

25 Q. How much money have you paid out of pocket

Michelle MacDonald Shimota

10/20/2016

Page 252

1 in attorneys fees and costs in connection with the
2 disciplinary action?

3 A. \$10,000 so far.

4 Q. Paul Ang [phonetic].

5 A. Yeah, to Paul Ang and something like \$1,500
6 to -- to Stephen Grigsby.

7 Q. How much have you paid out of pocket in
8 attorneys fees and costs to date with this lawsuit?

9 A. That's all written down.

10 MR. PADDEN: Time out. In the context
11 of that question, concerning the attorney/client
12 relationship that I have with my client, I'm not
13 going let her discuss that. That's certainly a
14 matter that'd be appropriate for a post trial
15 petition, fee petition, whatever, but I don't think
16 it's appropriate to ask in discovery.

17 THE WITNESS: I think I actually
18 answered that actually.

19 MR. PADDEN: I think he's talking about
20 this case.

21 THE WITNESS: Yeah, I did already
22 answered that.

23 BY MR. TIMMERMAN:

24 Q. You have. And that's why I asked. You
25 indicated \$32,044. You've paid \$32,044 to date?

Michelle MacDonald Shimota

10/20/2016

Page 253

1 A. Right, in this action, mm-hmm, whatever I
2 said there.

3 Q. That's the amount you've paid?

4 A. Mm-hmm.

5 Q. Sorry. I wasn't trying to be sneaky. It's
6 in the interrogatory answers.

7 MR. PADDEN: Yeah.

8 A. Yeah.

9 Q. In this lawsuit are you claiming or seeking
10 to cover your attorneys fees and costs in any other
11 actions aside from the contempt hearing and ethics
12 complaint? Contempt charges I should say and the
13 ethics complaint.

14 MR. PADDEN: You mean my representation
15 of her in the civil rights case, Jeff?

16 Q. No. And I understand -- let me back up. It
17 was a poorly-worded question. I understand that you
18 may seek to recover attorneys fees and costs in this
19 case.

20 A. Right.

21 Q. I guess that. I'm not questioning you about
22 that. But you testified today that you're also
23 seeking to cover attorneys fees and costs in this
24 case that you spent in other cases.

25 A. Right.

Michelle MacDonald Shimota

10/20/2016

Page 254

1 Q. My question for you is, we've talked about
2 the contempt charges and we've talked about the
3 ethics action. Are there any other legal actions
4 for which you're seeking recovery of fees and costs
5 in this lawsuit?

6 A. No, not that I know of.

7 Q. Clear as mud. How did your detention at the
8 Dakota County jail on September 12th and 13th of
9 2013 damage your reputation?

10 A. Just by the fact of it happening.

11 Q. What about your detention in the courthouse
12 holding area, same thing?

13 A. Just by the fact of it happening.

14 Q. Who has knowledge --

15 A. My complete reputation is different and
16 damaged and needed to be explained all the time.

17 Q. What proof do you have these incidents,
18 these periods of confinement have damaged your
19 reputation?

20 A. First of all, it's pretty apparent and
21 obvious, and I gave you some -- you know, the one
22 article that came out from the Minnesota State Bar
23 Association, that article. No matter how -- I think
24 it was Minnesota Lawyer, that was the first one.
25 It's -- you get -- when -- when something like this

Michelle MacDonald Shimota

10/20/2016

Page 255

1 happens, it seems like you always get looks and
2 comments and, you know, somebody else might say,
3 some other attorney might say, oh, you know, is that
4 the one. And I have attorneys that say -- try to
5 say, oh, I explain to them, that you didn't do
6 anything, things like that. I mean, that's ongoing,
7 even as easily as yesterday. You know, any people I
8 meet, saying, oh, so and so said you were in
9 trouble. It goes on and on.

10 I mean, it's kind of, you know, when you're
11 an attorney in the stature that I'm in, and suddenly
12 this happens to you, you're under arrest for 30
13 hours, and leave, and then you're prosecuted, it
14 resonates and it reverberates. There's nothing I
15 can -- it's so, so obvious, it's like blatant.

16 Q. The articles you're mentioning, those are
17 about your civil rights lawsuit, right, articles
18 about --

19 A. Which one?

20 Q. The Minnesota Lawyer article.

21 A. No, no, there was a Minnesota Lawyer article
22 after this -- this arrest of mine, said attorney
23 arrested. And it went on the news, too, on Fox 9.

24 Q. And before the lawsuit was filed?

25 A. Attorney arrested. Oh, long before, when it

Michelle MacDonald Shimota

10/20/2016

Page 256

1 happened.

2 Q. It's really your arrest, though, that's
3 damaged your reputation? But for the arrest, you
4 wouldn't have been confined in the jail, correct?

5 A. Right. But for you guys pulling me out of
6 my life and holding me for all of those hours for
7 nothing, I wouldn't have been in jail, yep.

8 Q. How can you apportion -- we talked about
9 other things that you believe that damaged your
10 professional reputation like the ethics charge, like
11 the republican state fair booth events, et cetera,
12 how can you apportion the percentage of damage that
13 was caused by this lawsuit as opposed to all of
14 these other events that were happening
15 contemporaneously? Do you have an answer for that?

16 A. I don't. I just know that I had no problems
17 until your people did this to me.

18 Q. Well --

19 A. I mean, I was just practicing law and doing
20 my thing.

21 Q. The DUI arrest was before this, though,
22 before my people detained you, correct?

23 A. And that was another civil rights, you know,
24 violation that I -- the reason they brought that
25 charge against me was because I made a complaint to

Michelle MacDonald Shimota

10/20/2016

Page 257

1 the police, and then all of a sudden there's charges
2 brought against me for what they did, not following
3 the law, Dan Fluegel chit chatting and giving advice
4 to the cops.

5 Q. Have you sued the city of Rosemount?

6 A. No, no, no.

7 Q. Okay. All right. So I don't -- if I'm
8 hearing you correctly, there's no -- really no clean
9 way for us to determine what portion of the damage
10 to your reputation was caused by the events alleged
11 in this lawsuit as opposed to the other events --

12 A. This --

13 Q. -- as opposed to the other events going on
14 in your life, correct? Is that correct?

15 A. I'm not sure. This was the first one that
16 was publicized.

17 Q. The DUI was publicized, right?

18 A. No, that was after. This one was the first
19 one, because it was on September -- the DUI arrest
20 was quiet. Nobody knew about that before this.
21 No -- it wasn't publicized until after this. You
22 know that, right?

23 Q. I'm asking you.

24 A. Yeah, the DUI was not publicized at all.

25 This happened, and then the DUI got publicized. And

Michelle MacDonald Shimota

10/20/2016

Page 258

1 this was advertised on Fox 9 the day it happened,
2 and that's how -- I never saw that, that's how
3 Stephen Grigsby found me. Because he was watching
4 his TV one night and he called the jail to see how I
5 was doing.

6 Q. We've got all of these different media
7 outlets to whom you've given or to which you've
8 interviews, first is the MSBA, Star Tribune, the
9 Pioneer Press, Lion News.

10 A. Mm-hmm.

11 Q. Fletcher Long and the Long Version, I know
12 you've been on his show a couple times talking about
13 your arrest. Do you agree with me that you've
14 really self-publicized the heck out of this arrest?

15 A. Yes and no. They call me, and I try to tell
16 what happened. They're calling me like, what
17 happened. It's like when people come up on the
18 street, other lawyers, what happened that day. I
19 have to tell them. So if I can tell a larger
20 audience about what your people did to me that day,
21 I'm comfortable with it. It's not publicizing it,
22 it's trying -- it happened, you did this to me. And
23 I have to figure -- I have to tell people why --
24 not -- that I didn't do anything wrong, that I was
25 wronged by your people, because obviously I was.

Michelle MacDonald Shimota
10/20/2016

Page 259

1 Q. You also had a press conference to announce
2 the filing of this lawsuit, correct?

3 A. My attorney did a press conference to
4 announce the filing.

5 Q. Which attorney?

6 A. It was Nathan Busch and M. Tayari Garrett,
7 they had a press conference.

8 Q. Did you attend it?

9 A. I did.

10 Q. How many other people were there?

11 A. There was several people there.

12 Q. Who?

13 A. I don't remember. I might have --

14 MR. PADDEN: You mean media, Jeff, or
15 on my client's behalf?

16 MR. TIMMERMAN: What's that?

17 MR. PADDEN: You mean media --

18 MR. TIMMERMAN: Media, yeah, how many
19 other people. She's testified -- I asked --

20 MR. PADDEN: I didn't know if you
21 were --

22 A. I wonder if they did do a press release.
23 I'm not sure that -- I'm pretty sure they did.

24 MR. PADDEN: You're talking about press
25 conference?

Michelle MacDonald Shimota

10/20/2016

Page 260

1 BY MR. TIMMERMAN:

2 Q. Press conference.

3 A. Press conference, yes, when this first got
4 filed.

5 Q. They did a press conference?

6 A. They put out a press conference, yes.

7 Q. And you're saying a couple of other people
8 attended?

9 A. Yes.

10 Q. Do you have any idea how many?

11 A. Maybe ten.

12 Q. Do you recall any of their names?

13 A. No.

14 Q. What was the purpose of the press
15 conference?

16 A. You would have to ask my attorney that.

17 Q. It wasn't your idea?

18 A. No, it wasn't my idea.

19 Q. You apparently agreed to go along with it,
20 though, correct?

21 A. Right.

22 Q. Again, I mean, if you're worried about
23 publicizing the fact that you were arrested and then
24 detained at the jail, it strikes me as a little
25 incongruous that you would host a press conference

Michelle MacDonald Shimota

10/20/2016

Page 261

1 to advertise about the fact that you were arrested
2 and detained at the jail.

3 A. It's not incongruous, because I want to
4 explain what really happened that day. What's out
5 there is that I got arrested. I have to explain
6 what really happened that day, okay, what you guys
7 did to me. That's what that's all about. Not, oh,
8 guess what, I got arrested. I didn't want anybody
9 to know that. They need to know the truth, because
10 it was already picked up by the media.

11 (MacDonald Deposition Exhibit No. 16
12 marked for identification.)

13 BY MR. TIMMERMAN:

14 Q. Ms. MacDonald, this is Exhibit 16 to your
15 deposition. Do you recognize this?

16 A. Yes.

17 Q. MacDonald for Justice is your Supreme
18 Court -- the name of your Supreme Court candidacy,
19 correct?

20 A. Right.

21 Q. Who maintains the MacDonald for Justice
22 YouTube site?

23 A. We don't have anybody, we don't have it
24 connected to MacDonald for Justice right now. This
25 is it. I don't have anybody to maintain it.

Michelle MacDonald Shimota

10/20/2016

Page 262

1 Q. Ostensibly there's a log-in and password for
2 the MacDonald for Justice YouTube site, is that
3 correct?

4 A. Yes.

5 Q. And is that information that you possess?

6 A. I have it somewhere. I don't even know how
7 I did this. I'm not good at it. But yes.

8 Q. You created the account?

9 A. I believe I created this account and put
10 these three videos up, and then this one.

11 Q. And this is another --

12 A. I didn't even know I put these up. I was
13 trying to mechanically do it.

14 Q. This is another example of you publicizing
15 the fact that you were arrested and detained,
16 correct?

17 A. It's another example so the people can watch
18 what happened, and you'll see I didn't do anything
19 in the courtroom to deserve this kind of treatment,
20 nothing.

21 Q. And you posted these videos yourself?

22 A. Yes, I did.

23 Q. And you drafted the commentary accompanying
24 these videos?

25 A. I did.

Michelle MacDonald Shimota
10/20/2016

Page 263

1 Q. And, again, from where were these videos
2 obtained?

3 A. They were -- the prosecutor gave them to my
4 criminal defense attorney. I'm still waiting for
5 the ones from you that were subpoenaed on September
6 17.

7 Q. There's no question.

8 MR. TIMMERMAN: Exhibit 15?

9 THE REPORTER: No, 17.

10 (MacDonald Deposition Exhibit No. 17
11 marked for identification.)

12 BY MR. TIMMERMAN:

13 Q. This is Exhibit 17 to your deposition. This
14 is a transcript of a motion hearing in your criminal
15 case, the contempt case, the hearing that occurred
16 on November 21, 2013. Do you see that?

17 A. Yeah, mm-hmm.

18 Q. And you were at this hearing, correct?

19 A. Right. Oh, I don't think so. This was -- I
20 think this was on the phone.

21 Q. It was a phone hearing?

22 A. I think so.

23 Q. Were you present for the phone hearing?

24 A. I don't -- nope, I don't think so. This was
25 just done by phone. I'll have to look. I don't

Michelle MacDonald Shimota
10/20/2016

Page 264

1 know.

2 Q. Okay. So on page 2 Mr. Grigsby says,
3 Stephen Grigsby, Your Honor, on behalf of
4 Ms. MacDonald, who is present before the court.

5 A. Oh, okay. Then it must be. Thank you.

6 Q. Does that refresh your recollection as to
7 whether this is an in-person or --

8 A. Yes.

9 Q. -- a telephone hearing?

10 A. Yes, it was in person.

11 Q. It was an in-person hearing, okay. Okay.
12 On page 5 Mr. Grigsby says, Grigsby, excuse me, in
13 response to my requests for discovery, the
14 prosecutor acknowledged that he's in possession of a
15 DVD, but because the DVD contains portions of events
16 beyond the matter relevant to this case in the
17 courtroom, he says he cannot release the whole of
18 these recordings without an order of the court. So
19 I think what the court can do is to order its
20 disclosure under some sort of protective order that
21 can satisfy the State's interest and whatever it
22 wants to protect.

23 And Judge Metzen says, do you want to draft
24 a protective order for me that protects what you
25 need to protect?

Michelle MacDonald Shimota

10/20/2016

Page 265

1 And Mr. Colburn, is that Mr. Fluegel's
2 associate?

3 A. Yes.

4 Q. Says, I think the concern, Your Honor, is to
5 what extent events, essentially unrelated to the
6 alleged violation, should or should not be disclosed
7 as part of these DVD recordings.

8 And the court says, what is the DVD, what is
9 it.

10 And Mr. Colburn says, essentially it -- I
11 guess I would call it the surveillance video of the
12 courtroom where the alleged incident occurred.

13 Mr. Grigsby says, video of the crime
14 itself -- alleged crime itself.

15 And the court says, right, I think that's
16 pretty relevant.

17 And then Mr. Colburn says, mm-hmm, I agree.
18 I certainly agree with the portion of the video
19 pertaining to the alleged violation is certainly
20 relevant, should be discoverable. Of course, the
21 DVD contains quite a bit prior to and a fair bit
22 after the alleged violation. And if the court
23 wished to give some direction on that, we can either
24 release it as is with the court's direction, or --

25 And Judge Metzen says, how about -- let's do

Michelle MacDonald Shimota

10/20/2016

Page 266

1 this. Let's release it as is to Mr. Grigsby. I
2 think he should be permitted to have access to that,
3 but restrict him in allowing that to be released any
4 further --

5 Okay, Mr. Colburn says.

6 And then Judge Metzen says, without order of
7 the court.

8 And Mr. Grigsby says, I fully understand
9 that.

10 Okay?

11 A. Right.

12 Q. So did you understand as of November 21,
13 2013 that Judge Metzen had limited the dissemination
14 of the DVD footage provided to you in your criminal
15 contempt case to Mr. Grigsby?

16 A. Yes.

17 Q. Why then did you take that video and post it
18 on YouTube?

19 A. The case was over. I just posted it
20 recently. And you said I could. You said, any
21 video that's out there is okay. So that's why.

22 Q. I never said that --

23 A. Other people were posting it already.

24 Q. I never said you could post -- let me
25 clarify for the record. I indicated to you when we

Michelle MacDonald Shimota

10/20/2016

Page 267

1 met back in May that M. Tayari Garrett had posted
2 the courtroom video on her YouTube -- her law -- her
3 now defunct law firm's YouTube website back in April
4 of 2015, and that that was out there. I knew that
5 that was out there at that time. How did she get a
6 copy of that video to post? Do you know?

7 A. She got it from me.

8 Q. Okay. And subsequently --

9 A. Let me explain. Let me explain.

10 Q. I'm asking the questions.

11 A. I followed this order.

12 Q. Excuse me. I'm asking the questions.

13 A. The case was dismissed. I could do anything
14 I wanted with those videos once it was dismissed.
15 And that's what Mr. Grigsby told me. So it was
16 already after it was dismissed that I could finally
17 give somebody the video.

18 Q. Okay.

19 A. Okay. And I gave it to my attorney here.
20 And I gave it --

21 Q. I understand you gave it to your attorneys.
22 But I am saying notwithstanding the fact that Judge
23 Metzen has placed restrictions on the distribution
24 and dissemination of this video, you decided once
25 the case was dismissed that you could do with it

Michelle MacDonald Shimota

10/20/2016

Page 268

1 what you please?

2 A. Right, because I could, kind sir. So it's
3 not going be covered up anymore. Okay?

4 Q. Okay.

5 A. I could, legally I could.

6 Q. And do you understand that the videos were
7 produced in this lawsuit?

8 A. That I couldn't open, yes. Nothing new was
9 produce in this lawsuit that I could open. Except
10 for I could get some hallway things.

11 Q. These three videos on MacDonald for Justice
12 YouTube site were produced to you in this lawsuit.
13 Do you understand that?

14 A. No, I don't. These were -- the only reason
15 these exist is because you guys tried to prosecute
16 me with them. I have been trying to get these
17 videos since September of 2013, all of them, from
18 both days. Okay? So you have obstructed me getting
19 my --

20 Q. You've answered my question.

21 A. -- my videos.

22 Q. You've answered my question.

23 A. You've obstructed federal subpoenas.

24 Q. Well, federal subpoenas that were quashed by
25 a federal court, no?

Michelle MacDonald Shimota

10/20/2016

Page 269

1 A. No, they weren't quashed. They weren't
2 quashed at all. You just didn't respond to them.
3 You just wrote letters and decided you weren't going
4 to -- the county was just not going to turn them
5 over. They're on legal hold right now. The only
6 reason you have these is I put them on legal hold.

7 Q. Okay. So I asked you -- the question I
8 asked you, did you understand that --

9 A. You are not going to be --

10 MR. PADDEN: Just wait for the next
11 question, Michelle. This is not the time.

12 Q. The question I asked you, do you understand
13 that these videos were produced in this lawsuit and
14 you said no?

15 A. You had produced these videos in this
16 lawsuit, yes, you did.

17 Q. You understand. And do you understand they
18 were designated as confidential in the lawsuit?

19 A. I did not understand that, because I already
20 had these. Because I sat at a meeting with you and
21 I said, well, I already have the videos from the
22 criminal matter. And you said, oh, those don't
23 count. So I had -- I would have put all the others
24 up --

25 Q. I said nothing of the sort.

Michelle MacDonald Shimota

10/20/2016

Page 270

1 A. -- if I could. Yes, you did, sir.

2 Q. I said nothing of the sort.

3 A. Yes, you did, sir. You just said it. I
4 said, I have these. That's when you said they were
5 going to be confidential. Because I'm still trying
6 to get them and open them. You said, well, the ones
7 you have already. I said, what about the ones that
8 I already have from the criminal matter.

9 Q. I did not say that.

10 A. And you said, oh, those --

11 Q. We can disagree.

12 A. Why would they be? I already have them.
13 Why would something you give me that I already have?

14 MR. PADDEN: Time out. Time out.
15 Let's go to the next topic.

16 A. You're not going to accuse me of violating
17 an order, because I didn't. When you give me
18 something and it's confidential, it's confidential.
19 So stop, okay, stop.

20 Q. Excuse me. Your conduct today has been
21 unbecoming of a lawyer, absolutely unbecoming.

22 A. I'm a victim. I'm a victim and a defendant.
23 I'm not your lawyer.

24 Q. Excuse me. You've accused me and my
25 colleagues of corruption on the record.

Michelle MacDonald Shimota

10/20/2016

Page 271

1 A. Right.

2 Q. Which I think might be a violation of an
3 ethics rule in and of itself.

4 A. I'm a lawyer. Okay?

5 Q. Okay.

6 MR. PADDEN: Let's get the deposition
7 done, please.

8 A. Yes.

9 Q. I'm going to ask you more about that
10 corruption charge, because I want to know exactly
11 what you're accusing me of before we're done today
12 so I can decide whether I have a professional
13 obligation to report you to the state of Minnesota
14 bar.

15 MR. PADDEN: She's already explained to
16 you --

17 A. I already explained the corruption.

18 MR. PADDEN: She's already explained to
19 you. I'm not saying that anybody necessarily agrees
20 with it, but she's already answered that question.

21 A. I'm in a legal proceeding. I can -- do you
22 even -- do you even know the law?

23 MR. PADDEN: Michelle, Michelle, stop,
24 stop. Wait for the next question.

25

Michelle MacDonald Shimota

10/20/2016

Page 272

1 (MacDonald Deposition Exhibit No. 18
2 marked for identification.)

3 BY MR. TIMMERMAN:

4 Q. Exhibit 18, this is the book you recently
5 published, right?

6 A. Yes.

7 Q. Sandra Grazzini-Rucki and the World's Last
8 Custody Trial, correct?

9 A. Right.

10 Q. When was it published?

11 A. A couple weekends ago.

12 Q. Published by Familycourt.com?

13 A. Right.

14 Q. Where can I buy it? Where is it
15 commercially --

16 A. Online.

17 Q. Where is it commercially available?

18 A. Online.

19 Q. Where at online?

20 A. I believe it's on -- you can buy it on
21 Amazon, anywhere you want to buy it, however you buy
22 books online.

23 Q. Where did you obtain the still shots of the
24 courtroom and the holding cell area that are on the
25 cover of this book?

Michelle MacDonald Shimota
10/20/2016

Page 273

1 A. From the video.

2 Q. Okay. Turn to pages 53 through 55.

3 A. Yep.

4 Q. This is another instance -- may I see it for
5 a second, please?

6 A. Yes.

7 Q. There's a chapter called, attorney Michelle
8 MacDonald, quote, "Under Arrest," end quote. And
9 you go on to explain your arrest and subsequent
10 incarceration at the jail in this book?

11 A. Right.

12 Q. This is another example of you
13 self-publicizing the fact that you were arrested and
14 detained, correct?

15 A. It's not self-publicizing, it's trying to
16 explain what really happened that day, kind sir.

17 Q. But you're still publicizing the fact that
18 you were arrested and detained, correct?

19 A. And explaining. I'm not self-publicizing.
20 It's a book that I'm explaining what happened,
21 because I want the truth to go out there what you
22 guys did to me.

23 Q. Did you obtain Sandra Rucki's permission to
24 include transcript of her police interview in the
25 book?

Michelle MacDonald Shimota
10/20/2016

Page 274

1 A. Of her police interview in the book? No,
2 it's public. It was obtained by the other writer.
3 He asked the police for it.

4 Q. Are you planning to present an expert at
5 trial regarding your alleged reputational damages?

6 A. I believe so.

7 Q. Who?

8 A. I don't know.

9 Q. Okay.

10 A. You would have to talk to my attorney.

11 Q. Have you hired a reputational damages
12 expert?

13 A. No.

14 MR. PADDEN: The day for disclosure of
15 expert witnesses, Counsel, is December 1. We'll let
16 you know before then.

17 MR. TIMMERMAN: Okay.

18 MR. PADDEN: But that's a fair question
19 to ask her. Today no one has been retained.

20 MR. TIMMERMAN: Yeah, sure. Let's take
21 a couple minutes and then wrap up.

22 THE VIDEOGRAPHER: We're going off the
23 record. The time is 3:12 p.m.

24 (Break from 3:12 to 3:19 p.m.)

25 THE VIDEOGRAPHER: We're back on the

Michelle MacDonald Shimota
10/20/2016

Page 275

1 record at 3:19 p.m.

2 MR. TIMMERMAN: I just want to confirm
3 our discussion we just had off the record,
4 Mr. Padden, that we're going to schedule
5 Ms. MacDonald's Rule 35 examinations on November
6 11th and 12th of 2016.

7 MR. PADDEN: Just give me the specifics
8 on where she has to be and time and stuff like that.

9 MR. TIMMERMAN: Absolutely, I will do.

10 MR. PADDEN: All right.

11 BY MR. TIMMERMAN:

12 Q. Ms. MacDonald, we discussed a lot today.
13 Have we discussed all the facts that support your
14 Fourth Amendment claim regarding the search of the
15 digital camera to the best of your recollection?

16 A. You took my camera unlawfully, yes. Yes,
17 the basic facts, you took my camera unlawfully and
18 kept it for several months, yes.

19 Q. Anything you'd like to add from a fact
20 perspective regarding your Fourth Amendment claim?

21 A. I think the facts speak for themselves that
22 you did that.

23 Q. Have we discussed all the facts as you sit
24 here to the best of your recollection that support
25 Fourteenth Amendment conditions of confinement

Michelle MacDonald Shimota
10/20/2016

Page 276

1 claim?

2 A. Yes. And 30 hours is hard to explain in
3 a -- but if you understand it's from the first time
4 you snatched me no matter what you did to me after
5 that, and by you I mean your people, the county and
6 all that, then, yes. Shouldn't do this to people.

7 Q. Have we discussed today all the facts that
8 support your claim regarding your gold cross
9 pendant?

10 A. Yes.

11 Q. Okay. Any testimony that you'd like to
12 supplement?

13 A. Not at this time.

14 Q. Okay. Any testimony that you'd like to
15 change?

16 A. Not at this time. I'm going to read it.

17 Q. Absolutely. And you have that right. Makes
18 sense.

19 MR. TIMMERMAN: And with that, I think
20 I have no further questions.

21 MR. PADDEN: Thank you, Counsel. She
22 will exercise her right to read and sign. Thank
23 you.

24 MR. TIMMERMAN: Thank you.

25 THE VIDEOGRAPHER: We're going off the

Michelle MacDonald Shimota
10/20/2016

Page 277

1 record. That will be the end of disc three and the
2 conclusion of the deposition of Michelle MacDonald
3 Shimota. The time is 3:21 p.m.

4 (Deposition concluded at 3:21 p.m.)

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Michelle MacDonald Shimota
10/20/2016

Page 278

REPORTER'S CERTIFICATE

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

I hereby certify that I reported the deposition of MICHELLE MACDONALD SHIMOTA on October 20, 2016 in Hastings, Minnesota, and that the witness was by me first duly sworn to tell the whole truth;

That the testimony was transcribed by me and is a true record of the testimony of the witness;

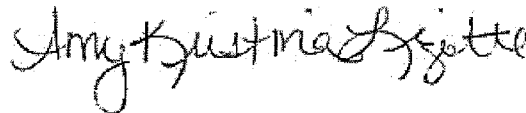
That the cost of the original has been charged to the party who noticed the deposition, and that all parties who ordered copies have been charged at the same rate for such copies;

That I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel;

That I am not financially interested in the action and have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect my impartiality;

That the right to read and sign the deposition by the witness was reserved.

WITNESS MY HAND AND SEAL THIS 24th day of October, 2016.



Amy Kristina Lizotte
Notary Public, Hennepin County, Minnesota
My commission expires January 31, 2022.